

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

UNITED STATES OF AMERICA

v.

No.: 2:24-mj-00150-KFW

BRANDON PINARD

AFFIDAVIT OF KRISTI R. MCPARTLIN

AFFIANT BACKGROUND

1. I am a Special Agent employed by the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”). As such, I am a law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18 of the United States Code; that is, an officer empowered by law to conduct investigations of, and make arrests for, offenses enumerated in Section 2516 of Title 18. I have been employed as a Special Agent with ATF since August 2002. I am currently assigned to the Manchester, New Hampshire Field Office in the Boston Field Division. While training to become a Special Agent, I attended the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia and received training in practices and methods of illegal firearm possessors, firearm traffickers, and related federal criminal statutes. As a Special Agent I have conducted and/or participated in numerous investigations involving state and Federal firearm and controlled substance violations. I have interviewed multiple victims, witnesses, and suspects regarding various types of criminal activity. I have also served search warrants for various crimes and have made criminal arrests for firearm and controlled substance violations. I have received training, both formal and on-the-job, regarding the federal firearms laws administered under Titles 18 and 26 of the United States Code.

2. I have undergone various law enforcement training, including firearms training, training on the execution of search and seizure warrants, training on investigative techniques, which include the collection and analysis of data obtained from search warrants. I have received specialized training in the investigation of firearms-related offenses. I have participated in investigations involving individuals who unlawfully possess firearms, of individuals illegally selling firearms, and of individuals distributing illegal drugs. I have written, obtained and coordinated the execution of search and arrest warrants pertaining to individuals involved in the illegal possession and distribution of firearms and drugs. I have also spoken with informants and subjects, as well as local, state, and federal law enforcement officers, regarding the manner in which individuals obtain, store, manufacture, transport, and distribute their illegal firearms.

3. I am currently assigned to the ATF Manchester Field Office, and I have been working in conjunction with numerous law enforcement agencies in New Hampshire, Massachusetts and Maine

4. I have personally participated in the investigation of Brandon PINARD. I am familiar with the facts and circumstances of this investigation based upon: (a) my personal knowledge and involvement in the investigation; (b) my discussions with fellow agents and officers who assisted in the investigation; and (c) my experience and training as a criminal investigator.

5. I am submitting this affidavit in support of the issuance of a criminal complaint charging Brandon PINARD with violations of 18 U.S.C. § 922(a)(6).

PROBABLE CAUSE

Background Of Investigation

6. On May 6, 2024, Lt. Mark Nadeau of the Seabrook, New Hampshire Police Department received a Firearm Denial Notice regarding Brandon PINARD of Seabrook, New Hampshire. The notice indicated that PINARD was denied the purchase of a long gun in Bath, Maine on May 4, 2024, at 10:36 A.M. During the attempted purchase, PINARD provided the address of 320 Marthas Way, Dover, New Hampshire.

7. Based on my review of the ATF Form 4473 completed by PINARD, I learned that the firearm he attempted to acquire was a Daniel Defense DDM4 assault rifle.

8. PINARD attempted to purchase the assault rifle at the Bath American Legion Gun Show, held at 200 Congress Ave in Bath, Maine, from May 4, 2024, to May 5, 2024, from Federal Firearms Licensee, Eagle Rock Farms LLC (FFL# 6-01-03341).

9. Based on my review of court records, PINARD's criminal history and conversations with Lt. Nadeau, I know that PINARD is a registered sex offender because of a 2013 conviction in Massachusetts for "Indecent Assault and Battery on a Child Under 14", a felony offense punishable by more than one year in prison. PINARD formerly lived in Dover, but now lives at 17 River Street in Seabrook, NH.

10. Lt. Nadeau reviewed PINARD's contacts with the Dover Police Department and discovered that PINARD was involved in a disturbance in Dover on April 25, 2024, at his workplace. As a result of that incident, PINARD was fired and trespassed from the property.

11. Based on conversations I had with Lt. Nadeau, and my review of his written reports, I know that he reviewed another officer's body camera interaction with

PINARD related to the April 25, 2024, incident. During the officer's interaction, PINARD provided a photo ID that listed his old 320 Martha's Way address; however, he confirmed with the officer that he lives in Seabrook.

12. Lt. Nadeau subsequently spoke with Seabrook Detective Zach Bunszell, who confirmed that PINARD is registered in Seabrook. The Sex Offender Registry paperwork that PINARD executed indicates that he drives a silver 2015 Subaru STI sedan, NH 5028359, and lives at 17 River Street, Seabrook, NH. Lt. Mone of Seabrook Police Department confirmed through the Seabrook system that PINARD had begun registering in the SOR on November 3, 2022.

13. During my investigation of PINARD's NICS denial, I obtained a copy of the ATF Form 4473 that PINARD completed during his attempted purchase.

14. I am aware that 978-518-9849 is Brandon PINARD's phone number because it is the same phone number that he listed as his cell phone number on his SOR registration paperwork.

15. As discussed above, I have reviewed a copy of the ATF Form 4473 documenting PINARD's attempted purchase of a Daniel Defense DDM4 assault rifle, bearing serial number DD007990C, at the Bath American Legion Gun Show on May 4, 2024.

16. ATF Form 4473 is a form that is required to be completed when a person proposes to purchase a firearm from a Federal Firearms License (FFL) holder, such as Eagle Rock Farms LLC. As noted in a "WARNING" at the top of the form, the information provided by the proposed purchaser on the form is "used to determine whether [the person is] prohibited by Federal or State law from receiving a firearm." The form must be signed by the proposed purchaser under a certification that the

information in it is “true, correct, and complete.” That information includes the person’s name, address, and date of birth, among other identification information, as well information about the firearm(s) being purchased. The form also requires the person to answer a number of questions, including the question, “[h]ave you ever been convicted in any court, including a military court, of a **felony**, or any other crime for which the judge could imprison you for more than one year, or are you a current member of the military who has been charged with violations(s) of the Uniform Code of Military Justice and whose charge(s) have been referred to a general court-martial?” On the ATF Form 4473 this is listed as question 21(d).

17. On the ATF Form 4473 completed by PINARD for the attempted purchase of the Daniel Defense DDM4 assault rifle, PINARD checked “No” for question 21(d). In doing so, PINARD represented that had not been previously convicted in 2013 in Massachusetts for "Indecent Assault and Battery on a Child Under 14", a felony offense punishable by more than one year in prison.

18. Based on my review of the ATF 4473 PINARD executed on May 4, 2024, he also indicated that he lived at 1320 Martha’s Way in Dover, New Hampshire, when in fact at the time he filled out the form he lived at 17 River Street, Seabrook, New Hampshire.

19. Based on my training and experience, I know that individuals that are prohibited from possessing and/or purchasing firearms will often provide false identifying information, such as a false name, date of birth, or address, to avoid being denied during the background check needed to complete the purchase of a firearm from an FFL.

CONCLUSION

20. I respectfully request that the Court issue a criminal complaint charging Brandon Pinard with violations of 18 U.S.C. § 922(a)(6).

KRISTI

Digitally signed by KRISTI
MCPARTLIN
Date: 2024.05.08 12:30:06
-04'00'

Dated: May 8, 2024

MCPARTLIN

Kristi R. McPartlin
Special Agent
Bureau of Alcohol, Tobacco, Firearms & Explosives

Sworn to telephonically and signed
electronically in accordance with the
requirements of Rule 4.1 of the Federal Rules
of Criminal Procedures

Date: May 08 2024

City and state: Portland, Maine



The seal of the United States District Court is positioned above a handwritten signature. Below the signature, the name "Karen Frink Wolf, U.S. Magistrate Judge" is printed, followed by "Printed name and title".